IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

Crl.MC.No. 2869 of 2007()

AGAINST THE ORDER IN SC.818/07 IN
SC.608/2003 of ADDITIONAL SESSIONS COURT, KOLLAM
CP.41/2005 of JUDL.MAGISTRATE OF FIRST CLASS, KARUNAGAPPALLY
S.C.NO.836/2007 OF ADDITIONAL SESSIONS
COURT (ADHOC-II), KOLLAM

.....

PETITIONER: ACCUSED

KRISHNA KUMAR, S/O RAJAPPAN,
KADAYIL VEEDU, ALAPPAD VILLAGE,
KARUNAGAPPALLY, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL
SMT.MEREENA JOSEPH

RESPONDENTS: COMPLAINANT
---

1. STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KARUNAGAPALLY POLICE
STATION, KOLLAM DISTRICT, THORUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. SRI.VIMAL, S/O SHANMUGHAM,
SHANMUGHA VILASOM, ALAPPAD VILLAGE,
KARUNAGAPPALLY, KOLLAM.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2869 of 2007

Dated this the 28th day of September 2007

O R D E R

S.C.No.818/07 and S.C.No.608/03, both pending before the Principal Assistant Sessions Court, Kollam, are in the nature of a case and counter case. Directions have already been issued for the expeditious disposal of S.C.No.608/03. Consequently, the counter case has also been committed to that court. Both cases are now listed for trial to 16/10/2007, it is submitted.

2. The petitioner has come to this court with a short prayer. He prays that S.C.No.836/07 pending before the Second Assistant Additional Sessions Court, Kollam is also a case which is integrally connected with the soul of the dispute in S.C.No.818/07 and S.C.No.608/03 though it cannot be said that that case is a counter case to any one of those two other cases. The learned counsel for the petitioner only submits that there may be a direction to try and dispose of S.C.No.836/2007 also by the Principal Assistant Sessions Court, Kollam expeditiously.

2. Notice was given to the learned Public Prosecutor. The learned Public Prosecutor does not oppose the said prayer. I am, in these circumstances, satisfied that the prayer can be allowed.

3. In the result, this Criminal Miscellaneous Case is allowed. There shall be a direction that S.C.No.836/07 pending before the Second Assistant Additional Sessions Court, Kollam shall also be transferred to the Principal Assistant Sessions Court, Kollam. The learned Assistant Sessions court shall attempt to expeditiously dispose of that case also.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007